

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

MAE GORDON-KELLY,

Plaintiff,

v.

SHERYL TATUM,
NICOLE ELLISON, and
BELINDA HAAGSMA,

Defendants.

Case No. CIV-23-426-RAW-GLJ

ORDER

Plaintiff brought this action on November 13, 2023, in the District Court of Pittsburg County, Oklahoma. She then filed two amended petitions, the latest on December 1, 2023. In each iteration of her petition, Plaintiff alleges claims pursuant to Sarbanes-Oxley Act, 18 U.S.C. §§ 1514, *et al.* and 71 OKLA. STAT. § 71-819. The state and federal claims arise out of the same facts. Defendant Sheryl Tatum was served with a summons and petition on November 28, 2023, and filed her Notice of Removal pursuant to 28 U.S.C. §§ 1331 and 1367 on December 18, 2023. At that time, no other Defendant had yet been served.

Now before the court are the motion to remand filed by the Plaintiff [Docket No. 11], Defendant Tatum's response [Docket No. 16], Plaintiff's reply [Docket No. 19], and Magistrate Judge Jackson's Report and Recommendation, recommending that the motion be denied [Docket No. 42]. No objection to the Report and Recommendation has been filed.

After a *de novo* review, the court determines that the Report and Recommendation is well-supported by the evidence and the prevailing legal authority. As the Magistrate Judge

found, this court has federal question subject matter jurisdiction under 28 U.S.C. § 1331 and supplemental jurisdiction over the state law claim under 28 U.S.C. § 1367. The Report and Recommendation [Docket No. 42] is hereby affirmed and adopted as this court's Findings and Order. The motion to remand [Docket No. 11] is hereby denied.

IT IS SO ORDERED this 24th day of June, 2024.

A handwritten signature in cursive script, reading "Ronald A. White".

**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**